

James M. Finberg (SBN 114850)  
 Eve H. Cervantez (SBN 164709)  
 Danielle E. Leonard (SBN 218201)  
 Claire Prestel (SBN 235649)  
 ALTSHULER BERZON LLP  
 177 Post Street, Suite 300  
 San Francisco, CA 94108  
 Telephone: (415) 421-7151  
 Facsimile: (415) 362-8064

Kelly M. Dermody (SBN 171716)  
 Daniel E. Barenbaum (SBN 209261)  
 LIEFF, CABRASER, HEIMANN &  
 BERNSTEIN, LLP  
 275 Battery Street, 30th Floor  
 San Francisco, CA 94111-3339  
 Telephone: (415) 956-1000  
 Facsimile: (415) 956-1008

Todd M. Schneider (SBN 158253)  
 Guy B. Wallace (SBN 176151)  
 SCHNEIDER & WALLACE  
 180 Montgomery Street, Suite 2000  
 San Francisco, CA 94104  
 Telephone: (415) 421-7100  
 Facsimile: (415) 421-7105

*Additional class counsel appear  
 on signature page.*

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, KALINI BOYKIN,  
 VALERIE BROWN, RICK GONZALES,  
 CYNTHIA GUERRERO, RACHEL  
 HUTCHINS, TYRONE MERRITT, KELVIN  
 SMITH, SR., and KEN STEVENSON, on  
 behalf of themselves and all others similarly  
 situated,

Plaintiffs,

v.

FEDEX EXPRESS, a Delaware Corporation,

Defendant.

Case Nos. C03-02659 SI; C03-02878 SI

CLASS ACTION

STIPULATION AND [PROPOSED]  
 ORDER SETTING BRIEFING  
 SCHEDULE FOR PARTIES' VERDICT  
 FORM DISPUTES

1 WHEREAS the trial date in this case has been continued to May 7, 2007, the Final  
2 Pretrial Conference has been continued to April 17, 2007 at 3:30 p.m., and the deadline for filing  
3 the Joint Pretrial Statement has been continued to April 3, 2007;

4 WHEREAS the parties agree that the deadlines for filing their briefs about verdict form  
5 disputes should also be continued to track the new trial schedule and to allow the parties time to  
6 continue with settlement negotiations;

7 THEREFORE, the parties, by and through their counsel, stipulate and request that:

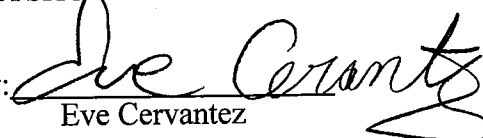
8 (1) The parties shall file their simultaneous briefs regarding whether the Court or the jury  
9 should decide the issues of the validity of the BST and whether there is a statistically significant  
10 disparity with respect to promotions, compensation, and discipline on April 3, 2007, rather than  
11 on March 2, 2007;

12 (2) The parties shall file simultaneous responsive briefs on April 10, 2007, rather than on  
13 March 9, 2007;

14 (3) The parties' disputes regarding their proposed verdict forms will be heard during the  
15 Pretrial Conference on April 17, 2007 at 3:30 p.m., or on the following date and time before trial  
16 chosen by the Court: \_\_\_\_\_.

17  
18 Dated: Feb. 27, 2007

ALTSHULER BERZON LLP

19 By:   
20 Eve Cervantez

21 James M. Finberg (SBN 114850)  
22 Eve H. Cervantez (SBN 164709)  
23 Danielle E. Leonard (SBN 218201)  
24 Claire Prestel (SBN 235649)  
177 Post Street, Suite 300  
San Francisco, CA 94108  
Telephone: (415) 421-7151  
Facsimile: (415) 362-8064

25 //

26 //

27 //

28 //

Kelly M. Dermody (SBN 171716)  
Daniel E. Barenbaum (SBN 209261)  
LIEFF, CABRASER, HEIMANN  
& BERNSTEIN, LLP  
275 Battery Street, 30th Floor  
San Francisco, CA 94111-3339  
Telephone: (415) 956-1000  
Facsimile: (415) 956-1008

Todd M. Schneider (SBN 158253)  
Guy B. Wallace (SBN 176151)  
SCHNEIDER & WALLACE  
180 Montgomery Street, Suite 2000  
San Francisco, CA 94104  
Telephone: (415) 421-7100  
Facsimile: (415) 421-7105

MICHAEL S. DAVIS (SBN 160045)  
345 Hill Street  
San Francisco, CA 94109  
Telephone: (415) 282-4315  
Facsimile: (415) 358-5576

JOHN BURRIS (SBN 69888)  
7677 Oak Port St., Suite 1120  
Oakland, CA 94612  
Telephone: (510) 839-5210  
Facsimile: (510) 839-3882

KAY MCKENZIE PARKER (SBN 143140)  
225 Bush Street, 16th Floor  
San Francisco, CA 94104  
Telephone: (415) 227-9622  
Facsimile: (415) 227-4522  
WAUKEEN Q. MCCOY (SBN 168228)  
703 Market Street, Suite 1407  
San Francisco, CA 94103  
Telephone: (415) 675-7705  
Facsimile: (415) 675-2530

Barry Goldstein (SBN 141868)  
GOLDSTEIN, DEMCHAK, BALLER,  
BORGEN DARDARIAN  
300 Lakeside Drive, Suite 1000  
Oakland, CA 94612  
Telephone: (510) 763-9800  
Facsimile: (510) 834-1417

*Class Counsel*

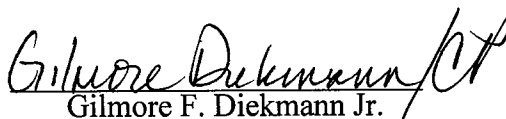
//

//

//

1 DATED: Feb. 27, 2007

SEYFARTH SHAW LLP

2  
3   
4 Gilmore F. Diekmann Jr.

5 560 Mission Street, Suite 3100  
6 San Francisco, CA 94105  
7 Telephone: (415) 397-2823  
8 Facsimile: (415) 397-8549

9 FEDERAL EXPRESS CORP.  
10 3620 Hacks Cross Road, Bldg. B, 3d Fl.  
11 Memphis, TN 38125-8800  
12 Telephone: (901) 434-8519  
13 Facsimile: (901) 434-9271

14 Evelyn Becker  
15 O'MELVENY & MYERS LLP  
16 1625 Eye Street, N.W.  
17 Washington, D.C. 20006-4001  
18 Telephone: (202) 383-5300  
19 Facsimile: (202) 383-5414

20 *Counsel for Defendant*

21 **ORDER**

22 The foregoing stipulation is approved, and IT IS SO ORDERED.

23 DATED: \_\_\_\_\_

24 

25 Hon. Susan Illston  
26 United States District Judge